

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Jimmy Dickerson, #157113, ) Civil Action No.: 6:04-22649-RBH  
                                  )  
                                  )  
Plaintiff,                    )  
                                  )  
                                  )  
vs.                            )  
                                  )  
                                  )  
Joey McKnight, Lieutenant at Florence                    )  
County Detention Center; and                            )  
John Lambert, Warden of Florence                    )  
County Detention Center,                            )  
                                  )  
                                  )  
Defendants.                    )  
                                  )  
\_\_\_\_\_)

**O R D E R**

Jimmy Dickerson, #157113,                    ) Civil Action No.: 6:05-0107-RBH  
  )  
  )  
Plaintiff,                                    )  
  )  
  )  
vs.    )  
  )  
  )  
Joey McKnight, Lieutenant at Florence                    )  
County Detention Center; and                            )  
John Lambert, Warden of Florence                    )  
County Detention Center,                            )  
  )  
  )  
Defendants.                                    )  
  )  
\_\_\_\_\_)

**O R D E R**

The plaintiff, pro se, instituted these actions on October 28, 2004, and January 19, 2005, respectively. Plaintiff claims violations of his civil rights pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge William M. Catoe for pretrial handling. On April 6, 2005, the Magistrate Judge filed a Report and Recommendation in which he recommended that these actions be dismissed without prejudice for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil

Procedure. On April 13, 2005, the plaintiff filed a letter with the court, however, it contained no objections to the Report and Recommendation. Likewise, the plaintiff has yet to file any objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a *de novo* determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report and Recommendation, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After reviewing the Report, pleadings, and applicable law, the court adopts the Report and Recommendation of the Magistrate Judge and incorporates it herein by reference. Therefore, it is hereby **ORDERED** that these actions be **DISMISSED** without prejudice for lack of prosecution.

**AND IT IS SO ORDERED.**

s/ R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge

May 25, 2005  
Florence, South Carolina